

REMARKS

Applicant concurrently files herewith a Petition for Extension of Time, and corresponding extension of time fee, for a three-month extension of time.

Claims 1-7 are all the claims presently pending in the application. Claims 1-5 have been merely editorially amended and have not been substantively amended. Claims 6 and 7 have been added to provide more varied protection for the claimed invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicant gratefully acknowledges the Examiner's indication that claims 1-5 would be allowable if amended to overcome the Examiner's 35 U.S.C. 112, second paragraph, rejection.

Claims 1-5 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

These rejections are respectfully traversed in the following discussion.

I. THE OBJECTIONS TO THE DRAWINGS

The Examiner has objected to the drawings because the drawings allegedly do not show every feature of the invention specified in the claims. Specifically, the Examiner alleges that the features of the support member, the spring unit, the lock hole, the shaft and the situation when just one latch has the two contact surfaces are not shown in the drawings.

Regarding the features of the support member, the lock hole and the spring unit, Applicant submits that these features are not a point of the claimed invention. Indeed, the claimed invention is related to a side lock apparatus. Therefore, it is not necessary to

illustrate the support member, the spring unit and the lock hole in the Figures of the Application.

Regarding the feature of the situation when just one latch has the two contact surfaces, Applicant has amended claim 1 to more particularly define the claimed invention. Specifically, claim 1 has been amended to recite, inter alia, "*wherein said left and right latches are provided with two contact surfaces*". Therefore, the drawings do not have to be amended to illustrate this feature.

Finally, regarding the feature of the spring unit, Applicant has amended claim 1 to recite, inter alia, "*a spring unit comprising a spring means*". The Application discloses that a compression coil spring 6 constituting a spring means is fitted around the shaft portion of the second latch 1B (see Application at page 12, lines 4-8). Applicant has amended the language of claim 1 to reflect the disclosure in the Specification. Therefore, Applicant submits that the "spring unit" is clearly depicted in Figure 1.

Therefore, Applicant requests the Examiner to reconsider and withdraw his objections to the drawings.

II. THE OBJECTION TO THE SPECIFICATION

The Examiner has objected to the abstract of the disclosure because of the use of the word "means".

Applicant has amended the abstract to remove the term "means". Additionally, Applicant has amended the abstract of the disclosure to limit the length of the abstract to no more than 150 words, as required by the M.P.E.P.

Therefore, Applicant requests the Examiner to reconsider and withdraw his objection to the specification.

III. THE OBJECTION TO THE CLAIMS

The Examiner has objected to the language of claims 1 and 4. Specifically, the Examiner has recommended replacing the phrase “fixed to a opening and closing member” in line 3 of claim 1, with the phrase “fixed to the opening and closing member”. Additionally, the Examiner has recommended replacing the term “spring means” with the term “claw means” in line 7 of claim 4.

Regarding, claim 1, Applicant has amended claim 1 to recite “fixed to the opening and closing member”.

However, regarding claim 4, Applicant does not agree with the Examiner’s recommendation. That is, Applicant has not intended to refer to a “claw means” in claim 4. Specifically, the Application discloses that the compression coil spring (6) is fitted around the shaft portion (2) of the second-mentioned latch (1B) (see Application at page 12, lines 4-8). Additionally, as is shown in Figure 1, the shaft of each of the left and right latches includes a “claw” (as is recited in exemplary claim 5). Therefore, Applicant has amended claim 4 to recite “one shaft being provided with the spring means”.

Therefore, the Examiner is respectfully requested to reconsider and withdraw these objections to the claims.

IV. THE 35 U.S.C. 112, SECOND PARAGRAPH, REJECTION

The Examiner has rejected claims 1-5 under 35 U.S.C. 112, second paragraph, as being indefinite. Applicant has amended the claims to more clearly define the claimed invention.

Specifically, Applicant has amended claim 1 to recite, inter alia, “wherein said left and right latches being provided with two contact surfaces engageable with a respective operating portion of the operating handle”.

Additionally, Applicant has amended claim 1 to recite, inter alia, "a spring unit comprising a spring means". As indicated above, the Application discloses that a compression coil spring 6 constituting a spring means is fitted around the shaft portion of the second latch 1B (see Application at page 12, lines 4-8).

Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

V. NEW CLAIMS

New claims 6 and 7 have been added to provide more varied protection for the claimed invention and to claim additional features of the invention. These claims are independently patentable because of the novel features recited therein.

Applicant submits that new claims 6 and 7 are patentable over any combination of the applied references at least for analogous reasons to those set forth above with respect to claims 1-5.

VI. FORMAL MATTERS AND CONCLUSION

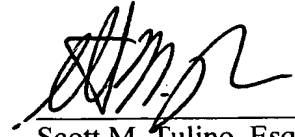
In view of the foregoing, Applicants submit that claims 1-7, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: April 27, 2006



Scott M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

**MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC**
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254